

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**MALIBU MEDIA, LLC,**

\*

**Plaintiff,**

\*

**CASE NO. 8:13-cv-02707-PWG**

**v.**

\*

**JOHN DOE subscriber assigned IP address  
96.231.210.32,**

\*

\*

**Defendant.**

\*

**PLAINTIFF'S SECOND MOTION FOR EXTENSION OF TIME  
WITHIN WHICH IT HAS TO SERVE JOHN DOE DEFENDANT  
WITH A SUMMONS AND COMPLAINT**

Pursuant to Fed. R. Civ. P. 4(m), Plaintiff, Malibu Media, LLC, moves for entry of an order extending the time within which Plaintiff has to serve John Doe Defendant with a Summons and Complaint, and states:

1. This is a copyright infringement case against a John Doe Defendant known to Plaintiff only by an IP address. Defendant's true identity is known by their internet service provider ("ISP").

2. On October 7, 2013, Plaintiff was granted leave to serve a third party subpoena on Defendant's ISP, Verizon Internet Services, to obtain the Defendant's identifying information [CM/ECF 6]. Plaintiff issued the subpoena on or about October 15, 2013, but did not receive the ISP's response until December 9, 2013.

3. Pursuant to this Court's October 7, 2013 Order, Plaintiff intends to depose the subscriber to inquire whether the subscriber was responsible for downloading Plaintiff's copyrighted works. The one hour deposition is currently scheduled for April 11, 2014.

4. Pursuant to Rule 4(m), Plaintiff was required to effectuate service on the Defendant by no later than January 13, 2014. Plaintiff filed a Motion for Extension of Time to Effectuate Service on Defendant on the deadline, but the Court recently denied the Motion as moot, since the requested deadline had already expired [CM/ECF 8].

5. Procedurally, Plaintiff respectfully requests that the time within which it must effectuate service of a summons and Complaint on the Defendant be extended until at least forty-five (45) days after the deposition is expected to take place, or until May 26, 2014.

WHEREFORE, Plaintiff respectfully requests that the time within which it must serve the John Doe Defendant be extended until May 26, 2014. A proposed order is attached for the Court's convenience.

Dated: April 3, 2014

Respectfully submitted,

MALIBU MEDIA, LLC.  
PLAINTIFF

By: /s/Jon A. Hoppe  
Jon A. Hoppe, Esquire #6479  
Counsel  
Maddox, Hoppe, Hoofnagle &  
Hafey, L.L.C.  
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**CERTIFICATE OF SERVICE**

I hereby certify that on April 3, 2014, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

By: /s/Jon A. Hoppe